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Attorneys for the Defendant
Xethanol Corporation

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GLOBAL ENERGY AND MANAGEMENT, LLC, :

Plaintiff, :

-against- : No. 07-CV-11049 (NRB)

:
XETHANOL CORPORATION, CHRISTOPHER :
D'ARNAUD-TAYLOR, JEFFERY LANGBERG, :
LAWRENCE S. BELLONE, LOUIS B. BERNSTEIN, :
DAVID AMES, and ROBIN BULLER, :

Defendants. :

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STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

**AFFIDAVIT OF FRANZ A. SKRYANZ IN SUPPORT
OF DEFENDANT XETHANOL CORPORATION'S
MOTION FOR SANCTIONS PURSUANT TO RULE 11**

FRANZ A. SKRYANZ, being duly sworn, deposes and says:

1. I am Assistant Secretary of Defendant Xethanol Corporation ("Xethanol"). In that capacity, among other things, I maintain and update all accounting records, make all payments and fund transfers, prepare reports and schedules for quarterly and annual SEC filings and maintain all corporate documents

and agreements. I have been with Xethanol and its predecessor since 2000. I make this Affidavit based on my personal knowledge and review of Xethanol's records.


2. Plaintiff Global Energy and Management, LLC ("Global") claims that, on June 23, 2006, it invested \$250,000.00 in New EnglandXethanol, LLC ("NewEngland"), a limited liability company Global and Xethanol had formed. To the best of my knowledge, Global did not invest \$250,000.00 in NewEngland (or Xethanol) on June 23, 2006, or on any other date.

3. At Global's request, on June 26, 2006, I faxed Global a copy of the Certificate of Formation of NewEngland, so that Global could open a bank account for NewEngland. To the best of my knowledge, Global did not open a bank account for NewEngland.

4. I have searched Xethanol's records. To the best of my knowledge, Xethanol has no records showing that Global made a \$250,000.00 investment or opened a bank account for NewEngland.


Franz A. Skryanz

Sworn to before me this
27th day of June, 2008


Notary Public

GIDEON E. MARK
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MA6063514
Qualified in New York County
Commission Expires Sept. 4, 2009